

**MINUTES OF THE OCTOBER 23, 2018 PLANNING BOARD MEETING
BOROUGH HALL, BOROUGH OF HILLSDALE**

MEMBERS PRESENT: E. Alter, Vice Chairwoman J. Miano, F. Franco, M. Kates, S. Riordan
S. Raymond, D. Burleson, Chairman M. Giancarlo

MEMBERS ABSENT: Dr. E. Lichtstein, Councilman F. Pizzella, Mayor J. Ruocco

EMPLOYEES PRESENT: N. Nabbie, Esq., Board Attorney
C. Statile, P.E., Board Engineer
R. Preiss, P.P., Board Planner
C. Chadwick, Deputy Secretary

Chairman Giancarlo called the meeting to order with a reading of the Open Public Meetings Statement at approximately 7:00pm.

OPEN TO PUBLIC (for matters not on the Agenda):

As no one wished to speak, the meeting was closed to the public.

MINUTES:

The *October 11, 2018 Meeting Minutes* were approved by the Board.

BOARD BUSINESS:

MEL Land Use Liability Policy Training

Board Attorney Nabbie began the land use liability policy training for the Board. Ms. Nabbie stated the Board has immunity except during civil rights violations. She also explained how the Board can avoid potential civil rights violations, reviewed what could be considered a conflict of interest, as well as actions Board members should not engage in as a general rule of conduct. The Board should ensure all planning board applications are reviewed for completeness and assigned a public hearing date within the statutory time frame. Furthermore, residents wishing to speak should be kept in order by the Board to ensure no inflammatory statements are made at public hearings. Ms. Nabbie provided several case examples of all the above situations to help the Board more fully understand how to proceed versus how not to proceed for each one.

All Board members signed an attendance log that they had completed the land use seminar.

PUBLIC HEARINGS:

PZ-06-18; RJN 333, LLC; Block 1308, Lots 15 & 16; 333 Washington Avenue

Major Site Plan with Use Variance application for the construction of 10 housing units in the residential R-4 zone district

Counsel for the Applicant – Elliot W. Urdang, Esq.

Mr. Burluson recused himself at this time. Board Engineer Statile was sworn in to testify. Elliot Urdang stated they will be proceeding from where they left off at the last public hearing on August 9, 2018. Mr. Urdang received Mr. Statile's report this morning and it was not sent until 5:15pm the previous day; Mr. Urdang stated he hopes the Board will consider this when hearing the application. Chairman Giancarlo stated yes, duly noted.

Mr. Urdang stated that the applicant's engineer, architect, and landscape architect will be present this evening; the applicant's professional planner will be present for testimony at the next public hearing. Therefore, the applicant will need to return to the Board for at least one additional public hearing.

At this time, Board Planner Preiss entered the chambers. Applicant's engineer Mike Hubschman was then sworn in to testify to the revised plans. Mr. Hubschman stated substantial changes were made to the plans, dated 9/4/2018. Changes made were based on comments and concerns discussed at the last public hearing and there will be a total of nine units. Mr. Hubschman stated that six inches were added to the width of every garage and the drainage was revised extensively. The applicant is still deficient one parking space. Mr. Hubschman explained the site is vacant, fairly level, and all water pitches to the street; the site is flat in terms of elevation.

Applicant Bob Nagler was sworn in at this time and clarified that the two standalone units will be rental units. Board Planner Preiss was then sworn in as well. Mr. Preiss confirmed with Mr. Hubschman that seven of the units are for sale, and two will be rentals. Mr. Preiss then explained the Council on Affordable Housing's percentage requirements in detail, concluding that this application will require two units be set aside for affordable housing. Mr. Statile stated the Board should explain same to the residents in the audience so they can better understand. Mr. Preiss and Board Attorney Nabbie proceeded to explain the Council on Affordable Housing and its set-a-side requirements to the members of the public, including unmet obligations for the municipality.

Mr. Statile stated he has concerns regarding off-site glare from headlights, and snow in regards to tightness of the driveway to the west. Mr. Statile also stated space will be needed to store the snow after plowing. It was determined that the Police Department submitted a referral stating the area is already deficient on parking, and they are concerned about emergency vehicles having adequate access to and from the site. Mr. Statile's interpretation of this referral is that the police department does not want a parking waiver for the site. Mr. Statile also stated he has concern regarding the basement of the adjacent dwelling and believes same should be checked since the applicant is putting more water into the ground than may have been expected.

Another area of concern was garbage storage on site. This matter was discussed. Also discussed were utilities and utility meters. Mr. Statile stated he is not concerned with stormwater

management but does have concerns with the sewer. Sewers were discussed.

Several Board members voiced their concerns regarding density due to the fact that the site was originally made to accommodate two single-family residences. There was also concern over allocation of affordable housing units and when same will be addressed. Mr. Urdang stated the applicant's professional planner will address and testify to the density concerns.

The meeting was then opened to the public.

Various members of the public whose properties neighbor the site came forward with questions and concerns regarding the elevation of the site, parking, etc. Mr. Hubschman addressed those concerns that pertained to his expertise, stating that a mounding analysis determines if groundwater raises, in regard to the concerns of water going into neighbors' basements. Mr. Hubschman also confirmed there are no designated parking spots for the tenants of the two rental units at this time and there is no proposed dumpster for the site. Mr. Hubschman stated the RSIS standards give numbers on required parking, generally a requirement of two spaces per unit. The proposed parking for the site is deficient by one parking space. No assigned parking is currently proposed, however one parking space for each unit may be assigned in the future. Mr. Hubschman confirmed there are no plans to undertake a traffic study because the project should not have any remarkable impact on traffic. There was discussion of the proximity of the project to the ambulance building; a resident asked if the exit on the property could be moved to a better location on site, perhaps one that is further away from the ambulance building. The meeting was closed to the public.

Board Planner Preiss asked where the proposed fencing is on the site and if it could be referenced on the plans. Mr. Hubschman stated fencing is not currently shown on the plans, but a fence will be proposed and be about 6 ft. on the rear and sides of the property if ordinance permits. The fence will be solid, PVC material. Mr. Preiss stated the fence will benefit both the applicant and the neighboring homes.

Board Engineer Statile stated the Board should reach out to the ambulance corps for a referral. Additionally, Mr. Statile spoke with the Hillsdale Fire Official about the proposed project. Mr. Blankenbush informed Mr. Statile the Fire Department does not need to access the site, but does need to access the hookups. Therefore, the connection location must not be obstructed by any vehicles. There was concern over why there is only one fire department connection on one of the buildings instead of one on each building.

The next witness, architect Joseph Bruno was sworn in to testify. Mr. Bruno explained the architectural plans, reviewing the details of the building layouts. The exterior of buildings one will be in a colonial style, with asphalt painted roofing and rear individual dormers for each unit. The garage doors will be a solid PVC material which will last longer than vinyl and has a crisper definition from a sightline perspective. Chairman Giancarlo stated it seems there is a lack of detail in the architectural plans; Mr. Statile agreed and also stated the meters on the front of the building are visually unattractive and suggested moving them to the rear of the building. Mr. Bruno stated he will work together with Mr. Hubschman to make changes to the plans. Mr. Statile stated the elevations that face the residents should have some detail. Mr. Preiss suggested considering a different color to create variation and break up the façades. He further stated he does not believe shutters are appropriate and although not an architect he is trying to be helpful. Mr. Statile

suggested a roof overhang on the buildings as well. Mr. Preiss asked what the proposed roof slope is and it was confirmed it is 5.5 – 6 pitch; Mr. Statile stated it is permitted to be as high as 30. Color differentiations were also discussed.

It was confirmed by Mr. Bruno that the building footprints are about 1500 sq. ft. each. Concerns over density were again discussed; Board members stated there seems to be much open, un-usable space in these units. The Board also inquired about common storage areas. Applicant Mr. Nagler stated there will be unfinished basements, with one window well in the rear, and the plan is to sell them as such.

The meeting was again opened to the public. Various members of the public stepped forward with questions and/or concerns. Mr. Bruno reviewed the elevations of the buildings and the elevations for each side of the building. It was confirmed the units will have two-car garages; the measurements of the garages were reviewed. Storage concerns were also discussed. As no one else wished to speak, the meeting was closed to the public.

It was confirmed no outside generators are being proposed. Board members stated they would like to see the proposed interior of a unit. Mr. Urdang confirmed he has two witnesses remaining; a landscape architect and a planner. Mr. Urdang stated the applicant waives the statutory time frame for the Board to act. Ms. Nabbie stated she will not be present at the November 27 meeting, however Brian Chewcaskie, Esq. will attend. Mr. Preiss stated he will also be absent for the November 27 meeting, but will send a substitute in his place. It was determined revised plans will be submitted to the Board at least ten days in advance of November 20, 2018. Mr. Statile stated the applicant should retain the exhibit boards in the Building Department office. Ms. Nabbie formally announced the application is hereby carried to November 20, 2018 at 7:30pm in these chambers and there will be no further notice to the public; this announcement is your notice.

The meeting was adjourned at 9:30pm.

Respectfully submitted,

Caitlin Chadwick
Deputy Secretary